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**TO:** Examiner Gregory J. Strimbu  
Art Unit 3634

**DATE:** September 1, 2005

**FROM:** Stephen S. Ashley, Jr.  
Reg. No. 47,394

**FACSIMILE NO:** (571) 273-8300

**RE:** Our File No. 148/291; U.S. Patent Application Serial No. 10/049,256 for "FINGER PROTECTOR DEVICE"

CONFIRMATION COPY  
TO FOLLOW:

YES \_\_\_\_\_ NO ☒

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**NUMBER OF PAGES:** Cover + 13

**MESSAGE:** Please see the APPEAL BRIEF for U.S. Serial No. 10/049,256 filed in reply to Office Action dated March 1, 2004.

Also, please confirm receipt of this facsimile. Thank you.

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PTO/SB/21 (09-04)


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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/049,266	
	Filing Date	05/03/2002	
	First Named Inventor	GARVEY, Frank J.	
	Art Unit	3834	
	Examiner Name	Strimbu, Gregory J.	
Total Number of Pages in This Submission	13	Attorney Docket Number	148/291

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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<b>Remarks</b> Please charge fees due or credit any overpayments to Deposit Account No. 01-0265.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	ADAMS EVANS P.A.		
Signature			
Printed name	Stephen S. Ashley, Jr.		
Date		Reg. No.	47,394

CERTIFICATE OF TRANSMISSION/MAILING		
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Signature		
Typed or printed name	Cecilia M. Sidebottom	Date
		09/01/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,080.00

**Complete if Known**

Application Number	10/049,256
Filing Date	05/03/2002
First Named Inventor	GARVEY, Frank J.
Examiner Name	Strimbu, Gregory J.
Art Unit	3634
Attorney Docket No.	148/291

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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Extension for Reply within fifth month

1080

**SUBMITTED BY**

Signature

Registration No. 47,394  
(Attorney/Agent)

Telephone 704-375-9249

Name (Print/Type) Stephen S. Ashley, Jr.

Date 09/01/2005

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